

FILED

SEP 03 2020

U. S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

SUPPRESSED

UNITED STATES OF AMERICA,

Plaintiff,

v.

ERIC CLARK,

Defendant.

No.

4:20-cr-00474 JAR/SRW

INDICTMENT

COUNT I

The Grand Jury charges that:

At all times pertinent to the charges in this indictment:

1. Federal law defined the term:

(a) "minor" to mean any person under the age of eighteen years (18 U.S.C. ' 2256(a));

(b) "sexually explicit conduct" to mean actual or simulated

(i) sexual intercourse, including genital-genital, oral-genital, anal-genital, or oral-anal,

whether between persons of the same or opposite sex,

(ii) bestiality,

(iii) masturbation,

(iv) sadistic or masochistic abuse, or

(v) lascivious exhibition of the genitals or pubic area of any person (18 U.S.C. '

2256(2)(A)); and

(c) "computer" to mean an electronic, magnetic, optical, electrochemical or other high speed data processing device performing logical, arithmetic or storage functions, including any data storage facility or communications facility directly related to or operating in conjunction with such device. (18 U.S.C. ' 2256(6)).

(d) "child pornography" to mean any visual depiction, including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of sexually explicit conduct, where--

(A) the production of such visual depiction involves the use of a minor engaging in sexually explicit conduct; or

(B) such visual depiction has been created, adapted, or modified to appear that an identifiable minor is engaging in sexually explicit conduct. (18 U.S.C. § 2256(8)).

2. The "Internet" was, and is, a computer communications network using interstate and foreign lines to transmit data streams, including data streams used to store, transfer and receive graphic files.

3. Between on or about April 1, 2019, and on or about May 23, 2019, in the Eastern District of Missouri, and elsewhere,

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the defendant herein, did knowingly receive image files and video files of child pornography using any means and facility of interstate and foreign commerce, to wit the defendant knowingly received image files and video files of child pornography via the internet, to include but not limited to the following:

a. an image file identified as "53504b318e60fd6a0011f9e" depicting a prepubescent minor child with her hand on a penis,

- b. an image file identified as "XS4Y-RcheDQ.jpg" depicting a prepubescent minor child whose vagina is being touched by a penis,
 - c. an image file identified as "33f8c05109ce7ffc0011f9e" depicting a prepubescent minor child with apparent semen in her mouth and a penis near her face,
- in violation of Title 18, United States Code, Section 2252A(a)(2).

A TRUE BILL.

FOREPERSON

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